

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FREDERICK BANKS,  
Plaintiff,  
v.  
SOO SONG, et al.,  
Defendants.

Case No. [17-cv-04100-JD](#)

**ORDER OF TRANSFER**

Re: Dkt. Nos. 2, 4

Plaintiff, a prisoner proceeding pro se, has filed a “Complaint for a Writ of Quo Warranto, Prohibition and Mandamus”. Complaint at 1. Plaintiff presents allegations against several United States Attorneys and Federal Judges in the Western District of Pennsylvania. He also names the Federal Bureau of Investigation and the Central Intelligence Agency as defendants. Plaintiff is incarcerated in Ohio. The underlying events of this case occurred in the Western District of Pennsylvania and venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b). This case is **TRANSFERRED** to the United States District Court for the Western District of Pennsylvania. *See* 28 U.S.C. § 1406(a).<sup>1</sup> In view of the transfer, the Court will not rule upon plaintiff’s motions to proceed in forma pauperis (Docket Nos. 2, 4) which are **VACATED**.

**IT IS SO ORDERED.**

Dated: August 17, 2017

  
\_\_\_\_\_  
JAMES DONATO  
United States District Judge

<sup>1</sup> The Court notes that plaintiff has been declared a vexatious litigant in the Western District of Pennsylvania. *See, e.g., Banks v. Babcock*, No. 15-1584, 2017 WL 978101 (W.D. PA March 14, 2017).

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 17, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Frederick Banks ID: 05711-068  
Ohio Department of Rehabilitation and Correction  
2440 Hubbard Road  
Youngstown, OH 44505

Dated: August 17, 2017

Susan Y. Soong  
Clerk, United States District Court

By:   
LISA R. CLARK, Deputy Clerk to the  
Honorable JAMES DONATO